IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9856 OF 2004

CORAM : A.P.SHAH AND

S.C.DHARMADHIKARI, JJ.

DATE : 23rd DECEMBER 2004.

OPERATIVE ORDER

. In the result, we pass the following order:-

i) The order dated 21st September 2004 (Annexure A-8) issued by respondent No.3 is quashed and set aside;

ii) It is held that the Statute 587 has no application to the facts and circumstances of the present case;

iii) The order passed on 2nd November

2004 (Annexure A-7) is also quashed and set aside;

iv) State Government is directed to consider the request made by respondent No.3, University vide letter dated 13th July 2001 (Annexure A-3) and pass appropriate orders therein in accordance with law and without being influenced by the communication dated 21st September 2004;

v) State Government is directed to consider the application for N.O.C. made by petitioner No.2 and pass appropriate orders thereon after hearing petitioner No.2/ its representative as expeditiously as possible and in any event, before 29th December 2004;

Rule is made absolute in the above terms with no orders as to cost.

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